



# Activity Review

## North Carolina State Board of Certified Public Accountant Examiners

1101 Oberlin Rd., Ste. 104 • PO Box 12827 • Raleigh, NC 27605 • 919-733-4222 • [nccpaboard.gov](http://nccpaboard.gov) • No. 10-2015

## The Annual CPE Requirement: Are You in Compliance?

The December 31 deadline for completing CPE for the 2015 compliance year is quickly approaching; are you on track to be in compliance with the annual CPE requirement?

21 NCAC 08G .0401(d) states that active CPAs must complete 40 CPE hours, computed in accordance with 21 NCAC 08G .0409, by December 31 of each year.

However, individuals whose certificate applications are approved by the Board in April, May, or June must complete 30 CPE hours during the same calendar year; individuals whose certificate applications are approved by the Board in July, August, or September must complete 20 CPE hours during the same calendar year; and individuals whose certificate applications are approved by the Board in October, November, or December must complete 10 CPE hours during the same calendar year.

For a CPA to claim credit for a CPE course, the CPA must complete the course; the course must meet the requirements set forth in 21 NCAC 08G .0404; and the course must increase the professional competency of the CPA.

Because of differences in the education and experience of CPAs, a course may contribute to the professional competency of one CPA, but may not contribute to the professional competency of another CPA.

Therefore, each CPA must exercise his or her professional judgment



in selecting courses for which CPE credit is claimed and should choose only those courses that contribute to his or her professional competency.

The Board no longer registers CPE sponsors and does not approve specific CPE courses for an individual to take for compliance with the annual CPE requirement.

21 NCAC 08G .0410, Professional Ethics and Conduct CPE, requires that as part of the annual CPE requirement, all active CPAs complete a two-hour group-study course or self-study course on professional ethics and conduct as set forth in 21 NCAC 08N.

The two-hour course may be any course on behavioral or regulatory ethics offered by a CPE sponsor registered with the NASBA Registry of CPE Sponsors.

Because the ethics requirement is an annual requirement, carry-forward CPE hours cannot be used to satisfy the requirement.

A non-resident CPA (a licensee who neither lives nor works in North

Carolina) may satisfy the annual ethics CPE requirement by completing the ethics requirements in the jurisdiction in which he or she is licensed and works or resides.

If there is no ethics CPE requirement in the jurisdiction where a non-resident CPA is licensed and resides or works, he or she must complete a two-hour group-study or self-study course on behavioral or regulatory ethics offered by a CPE sponsor registered with the NASBA Registry of CPE Sponsors.

CPAs taking self-study courses to fulfill the Board's 40-hour CPE requirement should note that a self-study course is not considered complete until the CPE sponsor issues a Certificate of Completion.

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# Disciplinary Actions

Pursuant to NCGS 93-12(9), civil penalties are remitted to the North Carolina Civil Penalty and Forfeiture Fund ("Fund") in accordance with NCGS 115C-457.2. NCGS 115C-457.1(b) states, "The Fund shall be administered by the Office of State Budget and Management. The Fund and all interest accruing to the Fund shall be faithfully used exclusively for maintaining free public schools."

**Green & Miller, P.C.**  
**Denton, TX 06/22/2015**

**THIS CAUSE**, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. §150B-41, the Board and Respondent stipulate to the following:

1. Green & Miller, P.C. (hereinafter "Respondent Firm"), has a principal place of business outside of North Carolina and has no office in North Carolina. Respondent Firm is not a registered certified public accounting firm in North Carolina.
2. Respondent Firm performed multiple audits of a retirement plan sponsored in North Carolina ("ERISA audits").
3. The North Carolina Accountancy Act, at N.C. Gen. Stat. §93-10(c)(3), requires firms to provide notice without a fee to the Board prior to performing financial statement audits or other engagements performed in accordance with the Statements on Auditing Standards. The members or partners of Respondent Firm were unaware of the notice requirement.
4. Respondent Firm did not provide the Board with a Notification of

Intent to Practice ("Notice") prior to performing the ERISA audits.

5. Respondent Firm subsequently provided a Notice to the Board.
6. Respondent Firm wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. Respondent Firm understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

**BASED UPON THE FOREGOING**, the Board makes the following Conclusions of Law:

1. Respondent Firm is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. By exercising the practice privilege afforded by N.C. Gen. Stat. §93-10(c) of the Accountancy Act, Respondent Firm consented to comply with the laws of this State and to be subject to the jurisdiction and disciplinary authority of the Board.
3. Respondent Firm's failure to comply with N.C. Gen. Stat. §93-10(c) of the Accountancy Act as set out above constitutes a violation of 21 NCAC 08N .0213.
4. Per N.C. Gen. Stat. §93-12(9), 93-10(b) and also by virtue of Respondent Firm's consent to

this order, Respondent Firm is subject to the discipline set forth below.

**BASED ON THE FOREGOING** and in lieu of further proceedings, the Board and Respondent Firm agree to the following Order:

1. Respondent Firm shall remit, with this signed Order, a one thousand dollar (\$1,000) civil penalty.
2. Respondent Firm shall remit, with this signed Order, a five hundred dollar (\$500) payment for administrative costs.

**Greg C. Kimsey, CPA**  
**Fort Mill, SC 06/22/2015**

**THIS CAUSE**, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. §150B-41, the Board and Respondent stipulate to the following:

1. Greg C. Kimsey, CPA (hereinafter "Respondent Firm"), has a principal place of business outside of North Carolina and has no office in North Carolina. Respondent Firm is not a registered certified public accounting firm in North Carolina.
2. Respondent Firm performed multiple audits of a retirement plan sponsored in North Carolina ("ERISA audits").
3. The North Carolina Accountancy Act, at N.C. Gen. Stat. §93-10(c)(3), requires firms to provide notice without a fee to the Board prior to performing financial statement audits or other engagements performed in ac-

## Board Meetings

3 p.m., November 16  
Grandover Conference Center  
Greensboro

10 a.m., December 14  
Board Office  
Raleigh



cordance with the Statements on Auditing Standards. The members or partners of Respondent Firm were unaware of the notice requirement.

4. Respondent Firm did not provide the Board with a Notification of Intent to Practice ("Notice") prior to performing the ERISA audits.
5. Respondent Firm subsequently provided a Notice to the Board.
6. Respondent Firm wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. Respondent Firm understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

**BASED UPON THE FOREGOING**, the Board makes the following Conclusions of Law:

1. Respondent Firm is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. By exercising the practice privilege afforded by N.C. Gen. Stat. §93-10(c) of the Accountancy Act, Respondent Firm consented to comply with the laws of this State and to be subject to the jurisdiction and disciplinary authority of the Board.
3. Respondent Firm's failure to comply with N.C. Gen. Stat. §93-10(c) of the Accountancy Act as set out above constitutes a violation of 21 NCAC 08N .0213.
4. Per N.C. Gen. Stat. §93-12(9), 93-10(b) and also by virtue of

Respondent Firm's consent to this order, Respondent Firm is subject to the discipline set forth below.

**BASED ON THE FOREGOING** and in lieu of further proceedings, the Board and Respondent Firm agree to the following Order:

1. Respondent Firm shall remit, with this signed Order, a one thousand dollar (\$1,000) civil penalty.
2. Respondent Firm shall remit, with this signed Order, a five hundred dollar (\$500) payment for administrative costs.



## Notice of Rule-Making

Notice is hereby given that the North Carolina State Board of Certified Public Accountant Examiners intends to

- adopt the rules cited as 21 NCAC 08N .0301 and .0410;
- readopt with substantive changes the rules cited as 21 NCAC 08A .0301; 08F .0103; 08M .0106; 08N .0208, .0209, .0211, .0214, .0215, .0302, .0304, .0307, .0308, .0401, .0403-.0406, .0409; and
- readopt without substantive changes the rules cited as 21 NCAC 08A.0307-.0309; 08B.0508; 08F.0105, .0111, .0302, .0401, .0410, .0502; 08G .0401 .0403 .0404, .0406, .0410; 08I .0104; 08J .0101, .0105, .0107, .0111; 08M .0105; 08N .0101-.0103, .0201-.0207, .0212, .0213, .0301, .0303, .0305, .0306, .0402, and .0408.

The text of the rules for adoption and readoption with substantive changes is published on the Board's website, **[www.nccpaboard.gov](http://www.nccpaboard.gov)**. The text of the rules proposed for readoption without substantive changes is not required to be published.

Written comments on the above-cited rules must be received by 5:00 p.m. on November 30, 2015. Submit written comments regarding the proposed actions by mail, fax, or email to:

**Robert N. Brooks, Executive Director**  
**PO Box 12827**  
**Raleigh, NC 27605**  
**Fax: 919-733-4209**  
**Email: [rbrooks@nccpaboard.gov](mailto:rbrooks@nccpaboard.gov)**

## 2015 Day of Service

CPAs from across North Carolina took to their communities on Friday, September 18, 2015, for the fourth annual CPA Day of Service.

More than 2,100 individuals, representing over 268 of North Carolina's businesses, participated via serving approximately 150 charitable organizations across the State.

Final event details, including photo and social media contest winners is available on the NCACPA website, **[www.ncacpa.org](http://www.ncacpa.org)**.

# Disciplinary Actions

**Jeffrey D. Cole, #23611**  
**Jeffrey D. Cole, CPA, P. C.**  
**Robbinsville, NC 07/20/2015**

**THIS CAUSE**, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. §150B-41, the Board and the Respondent stipulate to the following:

1. Jeffrey D. Cole, (hereinafter "Respondent") is the holder of North Carolina certificate number 23611 as a Certified Public Accountant.
2. Jeffrey D. Cole, CPA, P. C. (hereinafter "Respondent Firm"), was a certified public accounting firm in North Carolina. Respondent cancelled the firm registration effective December 29, 2014.
3. At all relevant times, the Respondent was the supervising CPA of the Respondent Firm and, as such, was the CPA responsible for ensuring that the Board's peer review requirements were satisfied.
4. The Respondent Firm had received a peer review for the year ended May 31, 2012. However, it was later discovered that the Respondent Firm had conducted an audit of an employee benefit plan. That audit had not been identified by the Respondents to the peer reviewer.
5. Per the peer review rules, if a firm performs an audit of an employee benefit plan during the relevant time period, at least one such plan must be subjected to peer review.
6. At the beginning of the peer review process, firms must complete a questionnaire. The ques-

tionnaire specifically requires the firm to review a list of audit engagements, including employee benefit plan audits, and identify whether the firm has performed any of those engagements.

7. As a result of the failure to identify its employee benefit plan audit engagement(s), the Respondent Firm's peer review was recalled. The Respondent Firm received a "fail" on its ensuing system peer review report.
8. The peer review report cited a deficiency in the Respondent Firm's quality control policies and procedures that led to the failure to initially disclose its employee benefit plan audit to the peer reviewer.
9. The peer review report also noted that the Respondent Firm's personnel did not have the CPE or experience necessary to accept an engagement in a specific high-risk industry, such as an employee benefit plan. There were also deficiencies detected in the audit of the employee benefit plan.
10. The Respondent indicated that he sold his firm and did not intend to engage in the public practice of accounting in the State of North Carolina.
11. The Respondents wish to resolve this matter by consent and agree that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. The Respondents understand and agree that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

**BASED UPON THE FOREGOING**, the Board makes the following Conclusions of Law:

1. The Respondents are subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. The Respondent should have known that the Respondent Firm conducted an employee benefit plan audit during the relevant peer review period and further, should have known that the audit was required to be disclosed to the peer reviewer. The failure to disclose the employee benefit plan audit to the peer reviewer constitutes a violation of 21 NCAC 08N .0202(a).
3. The Respondent Firm's failure to perform an employee benefit plan audit in accordance with standards constitutes a violation of the Statements on Auditing Standards in violation of 21 NCAC 08N .0403 and .0212.
4. Per N. C. Gen. Stat. §93-12(9) and also by virtue of the Respondent's consent to this order, the Respondents are subject to the discipline set forth below.

**BASED ON THE FOREGOING** and in lieu of further proceedings, the Board and the Respondents agree to the following Order:

1. Based upon the failure to initially disclose an employee benefit plan audit to the peer reviewer:
  - a. The Respondent's CPA certificate shall be revoked for one (1) year. However, the revocation is stayed if all requirements of this Consent Order are met and the

- Respondent is not found to have violated the peer review rules during that period.
- b. The Respondent Firm's registration shall remain cancelled for one (1) year. However, the Respondent may re-establish the Respondent Firm or another firm as long as all requirements of this Consent Order are met and the Respondent is not found to have violated the peer review rules.
  - c. The Respondent Firm shall pay a one thousand dollar (\$1,000.00) civil penalty to be remitted with this signed Consent Order.
  - d. The Respondent Firm shall pay a five hundred dollar (\$500.00) administrative cost to be remitted with this signed Consent Order.
  - e. Prior to the Respondent Firm's next peer review, the Respondent must take four (4) hours of group-study CPE, specifically covering the peer review process and/or getting ready for peer review.
2. Based upon the failure to perform services in accordance with standards:
    - a. The Respondent Firm is censured.
    - b. The Respondent firm shall provide a written statement to the Board that it will no longer participate in, perform, or review ERISA audits.
    - c. Should the Respondent re-establish a firm in North Carolina, prior to the Respondent firm participating in, performing, or reviewing any future ERISA audits subject to peer review, the Respondent firm must first:
      - i. Require that each staff member participating in engagements subject to peer review take eight (8) hours of group-study CPE on ERISA audits prior to beginning the engagement.

- ii. Be subject to pre-issuance review by a reviewer approved by the Board until the Board determines that pre-issuance review is no longer necessary.
3. Any CPE completed in conformance with this Consent Order may be counted towards the individual's annual CPE requirement.
4. The Respondents agree that failure to comply with any terms of this agreement shall be deemed sufficient grounds to lift the stays set forth above.

**T. Nelson Price, #3106**  
**Nelson Price & Associates, P.A.**  
**Lumberton, NC 07/20/2015**

**THIS CAUSE**, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. §150B-41, the Board and the Respondent stipulate to the following:

1. T. Nelson Price (hereinafter "Respondent") is the holder of North Carolina certificate number 3106 as a Certified Public Accountant.
2. Nelson Price & Associates, P.A. (hereinafter "Respondent Firm"), is a registered certified public accounting firm in North Carolina.
3. At all relevant times, the Respondent was the supervising CPA of the Respondent Firm and, as such, was the CPA responsible for ensuring that the Board's peer review requirements were satisfied.
4. The Respondent Firm had received a peer review for the year ended April 30, 2011. However, it was later discovered that the Respondent Firm had conducted an audit of an employee benefit plan. That audit had not been identified by the Respondents to the peer reviewer.

5. Per the peer review rules, if a firm performs an audit of an employee benefit plan during the relevant time period, at least one such plan must be subjected to peer review.
6. At the beginning of the peer review process, firms must complete a questionnaire. The questionnaire specifically requires the firm to review a list of audit engagements, including employee benefit plan audits, and identify whether the firm has performed any of those engagements.
7. As a result of the failure to identify its employee benefit plan audit engagement(s), the Respondent Firm's peer review was recalled. The Respondent Firm received a "fail" on its ensuing system peer review report.
8. The peer review report indicated that the personnel at the Respondent Firm had inadequate CPE or supervision necessary to conduct the employee benefit plan engagement.
9. The peer review report also cited numerous deficiencies in the Respondent Firm's performance of other audit engagements.
10. The peer review report also noted that the professional personnel in the Respondent Firm had not taken CPE necessary to stay current on recent changes in accounting and review services, which led to compilations that did not meet all professional standards.
11. The Respondents wish to resolve this matter by consent and agree that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. The

**T. Nelson Price**  
**Nelson Price & Associates, P.A.**  
*continued on page 6*



## T. Nelson Price

### Nelson Price & Associates, P.A.

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Respondents understand and agree that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

**BASED UPON THE FOREGOING**, the Board makes the following Conclusions of Law:

1. The Respondents are subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. The Respondent should have known that the Respondent Firm conducted an employee benefit plan audit during the relevant peer review period and further, should have known that the audit was required to be disclosed to the peer reviewer. The failure to disclose the employee benefit plan audit to the peer reviewer constitutes a violation of 21 NCAC 08N .0202(a).
3. The Respondent Firm's failure to perform audits in accordance with standards constitutes a violation of the Statements on Auditing Standards in violation of 21 NCAC 08N .0403 and .0212.
4. Per N.C. Gen. Stat. §93-12(9) and also by virtue of the Respondent's consent to this order, the Respondents are subject to the discipline set forth below.

**BASED ON THE FOREGOING** and in lieu of further proceedings, the Board and the Respondents agree to the following Order:

1. Based upon the failure to initially disclose an employee benefit

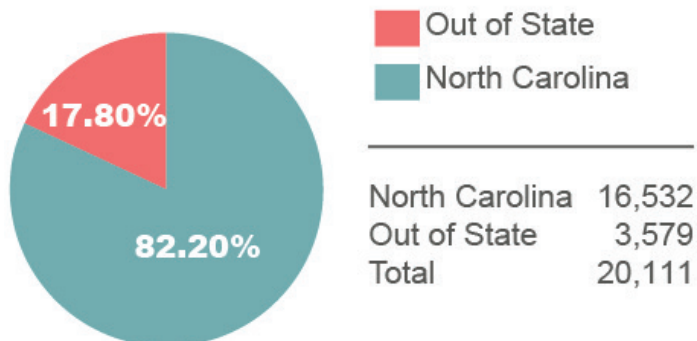
plan audit to the peer reviewer:

- a. The Respondent's CPA certificate shall be revoked for one (1) year. However, the revocation is stayed if all requirements of this Consent Order are met and the Respondent is not found to have violated the peer review rules during that period.
  - b. The Respondent Firm's registration shall be cancelled for one (1) year. However, the cancellation is stayed if all requirements of this Consent Order are met and the Respondent Firm is not found to have violated the peer review rules during that period.
  - c. The Respondent Firm shall pay a one thousand dollar (\$1,000.00) civil penalty to be remitted with this signed Consent Order.
  - d. The Respondent Firm shall pay a five hundred dollar (\$500.00) administrative cost to be remitted with this signed Consent Order.
  - e. Prior to the Respondent Firm's next peer review, all CPAs in the Respondent Firm must take four (4) hours of group-study CPE, specifically covering the peer review process and/or getting ready for peer review.
2. Based upon the failure to perform services in accordance with audit standards:
    - a. The Respondent Firm is censured.
    - b. Each staff member of the Respondent Firm participating in engagements subject to peer re-

view must take eight (8) hours of group-study CPE on Audit Documentation and eight (8) hours of group-study CPE on Single Audit annually until the firm receives a pass on a system review or a pass or pass with deficiencies on an engagement review.

- c. Prior to the Respondent Firm participating in, performing, or reviewing any future audits, the Respondent Firm must first submit the audit for pre-issuance review by a reviewer approved by the Board until the Board determines that pre-issuance review is no longer necessary.
3. The Respondent Firm had a system peer review scheduled for October 2014. Upon completion of that peer review, the Respondent Firm shall provide to the Board copies of the peer review report, firm response, any correspondence with the Peer Review Committee, and any Matters for Further Consideration (MFCs) or Findings for Further Consideration (FFCs).
  4. Any CPE completed in conformance with this Consent Order may be counted toward the individual's annual CPE requirement.
  5. The Respondents agree that failure to comply with any terms of this agreement shall be deemed sufficient grounds to lift the stays set forth above.

## Correction: Licensees by Residency



# Disciplinary Actions

**Laura Ann Curry, CPA, #18851**  
**Curry, Ireland & Co, LLP**  
**Greensboro, NC 08/24/2015**

**THIS CAUSE**, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. §150B-41, the Board and the Respondent stipulate to the following:

1. Laura Ann Curry, CPA, (hereinafter "Respondent"), is the holder of North Carolina certificate number 18851 as a Certified Public Accountant.
2. Curry, Ireland & Co, LLP (hereinafter "Respondent Firm"), is a registered certified public accounting firm in North Carolina.
3. At all relevant times, the Respondent was the supervising CPA of the Respondent Firm and, as such, was the CPA responsible for ensuring that the Board's peer review requirements were satisfied.
4. The Respondent Firm had received a peer review for the year ended February 28, 2013. However, it was later discovered that the Respondent Firm had conducted an audit of an employee benefit plan. That audit had not been identified by the Respondents to the peer reviewer.
5. Per the peer review rules, if a firm performs an audit of an employee benefit plan during the relevant time period, at least one such plan must be subjected to peer review.
6. At the beginning of the peer review process, firms must complete a questionnaire. The questionnaire specifically requires the firm to review a list of audit engagements, including employee benefit plan audits, and identify whether the firm has performed any of those engagements.

7. As a result of the failure to identify its employee benefit plan audit engagement(s), the Respondent Firm's peer review was recalled. The Respondent Firm received a "pass with deficiencies" on its ensuing system peer review report.
8. The peer review report cited a deficiency in the Respondent Firm's quality control policies and procedures that led to the failure to initially disclose its employee benefit plan audit to the peer reviewer. In addition, the Respondent Firm did not properly utilize its practice aids, resulting in presentation errors for a non-profit engagement.
9. The Respondents wish to resolve this matter by consent and agree that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. The Respondents understand and agree that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

**BASED UPON THE FOREGOING**, the Board makes the following Conclusions of Law:

1. The Respondents are subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. The Respondent should have known that the Respondent Firm conducted an employee benefit plan audit during the relevant peer review period, and further should have known that the audit was required to be disclosed to the peer reviewer. The failure

to disclose the employee benefit plan audit to the peer reviewer constitutes a violation of 21 NCAC 08N .0202(a).

3. Per N.C. Gen. Stat. §93-12(9) and also by virtue of the Respondent's consent to this order, the Respondents are subject to the discipline set forth below.

**BASED ON THE FOREGOING** and in lieu of further proceedings, the Board and the Respondents agree to the following Order:

1. The Respondent's CPA certificate shall be revoked for one (1) year. However, the revocation is stayed if all requirements of this Consent Order are met and the Respondent is not found to have violated the peer review rules during that period.
2. The Respondent Firm's registration shall be cancelled for one (1) year. However, the cancellation is stayed if all requirements of this Consent Order are met and the Respondent Firm is not found to have violated the peer review rules during that period.
3. The Respondent Firm shall pay a one thousand dollar (\$1,000.00) civil penalty to be remitted with this signed Consent Order.
4. The Respondent Firm shall pay a five hundred dollar (\$500.00) administrative cost to be remitted with this signed Consent Order.
5. Prior to the Respondent Firm's next peer review, the Respondent must take four (4) hours of group-study CPE, specifically covering the peer review process and/or getting ready for peer review.
6. The Respondents agree that failure to comply with any terms of this agreement shall be deemed sufficient grounds to lift the stays set forth above.

## Exam Fees Effective October 17, 2015

Effective October 17, 2015, the Uniform CPA Exam fees charged by Prometric increased. Prometric's per-test hour fee increased from \$19.52 per test hour to \$19.85 per test hour. Prometric's per-section fee increased from \$5.95 per section to \$6.05 per section. The Board's administrative fees, NASBA's Exam fees, and the AICPA's Exam fees did not change.

Applications postmarked after October 17, 2015, will be processed using the new fee schedule. Revised Exam applications that reflect the new fees are available on the Board's website, [www.nccpaboard.gov](http://www.nccpaboard.gov).

### Administrative Fees

Initial Exam Application	\$230.00
Re-Exam Applications	\$75.00

### Section Fees

Auditing (AUD)	\$193.45
Financial Accounting & Reporting (FAR)	\$193.45
Regulation (REG)	\$173.60
Business Environment & Concepts (BEC)	\$173.60

## Certificates Issued

On September 21, 2015, the Board approved the following applicants for certification as North Carolina CPAs:

Israel David Abitbol	Roger Kessel Kurtz
Linden Ryu Arakawa	Matthew Everett Lee
Leigh Elle Barie	Rebecca Gail Leighty
David Edward Batkiewicz	Naomi Marshall Lemmond
Kimberly P. Belcher	Alla Lopez
Sarah Catherine Blythe	Weixuan Luo
David Wade Broome	Erin Rosaleen Lyon
Kaitlyn Marie Byrd	Melonie Kali McCurry
Elizabeth Ann Colner	Andrew Thomas McMillan
Bryce Joseph Abalos Creedon	Sarah Gail McMillan
Anthony Eric Dent	Victoria May McMillen
Carmen Lee Galloni	Brandon Robert Mercado
Denise Lynn Gauthier	Tara Nicole Moser
Laura Elizabeth Gennings	Michael Joseph Palazzo, III
Michael Paul Gerica, II	Fangzhou Qin
Brittain Taylor Redcay Haney	Hanisha Prem Shah
Neville Thomas Hayes	Steven Matthew Shinall
Jonathan Patrick Holder	Allison Evette Simmons
Amber Dawn Huffman	Mary Elizabeth Stonecypher
Peter Daniel Irvin	Ziyi Sun
Tyler C. Jaynes	Alysse Michelle Swink
Jeffrey Andrew Johnson	Emily Watkins Weeks
Jaskamal Kaur	Gregory Thomas Wintermeier
Ryan Heath Kildoo	Phaedra Xanthos
	Alla Zakharova

## Annual CPE Requirement

*continued from front*

The date the Board will accept for CPE credit is the Certificate of Completion date, not the date the course was completed or the date the completed course was mailed to or received by the sponsor.

Individuals who complete self-study courses late in the year sometimes cannot claim CPE credit for that calendar year because the CPE sponsor issues the Certificate of Completion in the next calendar year.

It is strongly suggested that CPAs who plan to use self-study courses to fulfill the CPE requirement complete the courses and submit them to the sponsor(s) as soon as possible.

CPAs cannot claim reading accounting journals, periodicals, reference guides, or related materials and taking a test designed to assess reading comprehension as credit for CPE. No CPE credit is allowed for examinations alone; CPE credit is only allowed for examinations that test a CPA's knowledge of a particular set of study materials as prepared in a formal CPE program.

If a CPA fails to complete the CPE requirements prior to the end of the previous calendar year, but completes the requirements by June 30, the Board will issue a letter of warning for the first such failure within a five (5) calendar year period.

For the second such failure within a five (5) calendar year period, the Board will deny the renewal of the CPA's certificate for a period of not less than 30 days and until the CPA meets the reinstatement requirements set forth in 21 NCAC 08J .0106.

If you have questions about CPE, please contact the Board's Licensing Assistant, Cammie Emery, by phone at (919) 733-1423 or by email at [cemery@nccpaboard.gov](mailto:cemery@nccpaboard.gov).



# Disciplinary Actions

**Brooks, McGinnis & Company LLC**  
**Atlanta, GA 07/20/2015**

**THIS CAUSE**, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. §150B-41, the Board and Respondent stipulate to the following:

1. Brooks, McGinnis & Company LLC (hereinafter "Respondent Firm"), has a principal place of business outside of North Carolina and has no office in North Carolina. Respondent Firm is not a registered certified public accounting firm in North Carolina.
2. Respondent Firm performed multiple audits of a retirement plan sponsored in North Carolina ("ERISA audits").
3. The North Carolina Accountancy Act, at N.C. Gen. Stat. §93-10(c)(3), requires firms to provide notice without a fee to the Board prior to performing financial statement audits or other engagements performed in accordance with the Statements on Auditing Standards. The members or partners of Respondent Firm were unaware of the notice requirement.
4. Respondent Firm did not provide the Board with a Notification of Intent to Practice ("Notice") prior to performing the ERISA audits.
5. Respondent Firm subsequently provided a Notice to the Board.
6. Respondent Firm wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the Board accepts this Consent Order as written. Respondent Firm understands and agrees that

this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

**BASED UPON THE FOREGOING**, the Board makes the following Conclusions of Law:

1. Respondent Firm is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. By exercising the practice privilege afforded by N.C. Gen. Stat. §93-10(c) of the Accountancy Act, Respondent Firm consented to comply with the laws of this State and to be subject to the jurisdiction and disciplinary authority of the Board.
3. Respondent Firm's failure to comply with N.C. Gen. Stat. §93-10(c) of the Accountancy Act as set out above constitutes a violation of 21 NCAC 08N .0213.
4. Per N.C. Gen. Stat. §93-12(9), 93-10(b) and also by virtue of Respondent Firm's consent to this order, Respondent Firm is subject to the discipline set forth below.

**BASED ON THE FOREGOING** and in lieu of further proceedings, the Board and Respondent Firm agree to the following Order:

1. Respondent Firm shall remit, with this signed Order, a one thousand dollar (\$1,000) civil penalty.
2. Respondent Firm shall remit, with this signed Order, a five hundred dollar (\$500) payment for administrative costs.

**Robert C. Alario, Certified Public Accountant, P.C.**  
**Leominster, MA 07/20/2015**

**THIS CAUSE**, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. §150B-41, the Board and Respondent stipulate to the following:

1. Robert C. Alario, Certified Public Accountant, P.C. (hereinafter "Respondent Firm"), has a principal place of business outside of North Carolina and has no office in North Carolina. Respondent Firm is not a registered certified public accounting firm in North Carolina.
2. Respondent Firm performed multiple audits of a retirement plan sponsored in North Carolina ("ERISA audits").
3. The North Carolina Accountancy Act, at N.C. Gen. Stat. §93-10(c)(3), requires firms to provide notice without a fee to the Board prior to performing financial statement audits or other engagements performed in accordance with the Statements on Auditing Standards. The members or partners of Respondent Firm were unaware of the notice requirement.
4. Respondent Firm did not provide the Board with a Notification of Intent to Practice ("Notice") prior to performing the ERISA audits.
5. Respondent Firm subsequently provided a Notice to the Board.
6. Respondent Firm wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the

**Robert C. Alario, Certified Public Accountant, P.C.**

*continued on page 10*

*continued from page 9*

Board accepts this Consent Order as written. Respondent Firm understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

**BASED UPON THE FOREGOING**, the Board makes the following Conclusions of Law:

1. Respondent Firm is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. By exercising the practice privilege afforded by N.C. Gen. Stat. §93-10(c) of the Accountancy Act, Respondent Firm consented to comply with the laws of this State and to be subject to the jurisdiction and disciplinary authority of the Board.
3. Respondent Firm's failure to comply with N.C. Gen. Stat. §93-10(c) of the Accountancy Act as set out above constitutes a violation of 21 NCAC 08N .0213.
4. Per N.C. Gen. Stat. §93-12(9), 93-10(b) and also by virtue of Respondent Firm's consent to this order, Respondent Firm is subject to the discipline set forth below.

**BASED ON THE FOREGOING** and in lieu of further proceedings, the Board and Respondent Firm agree to the following Order:

1. Respondent Firm shall remit, with this signed Order, a one thousand dollar (\$1,000) civil penalty.

2. Respondent Firm shall remit, with this signed Order, a five hundred dollar (\$500) payment for administrative costs.

**Cenko, Vendittelli & Haynes, PLC  
Troy, MI 07/20/2015**

THIS CAUSE, coming before the North Carolina State Board of CPA Examiners ("Board") at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present. Pursuant to N. C. Gen. Stat. §150B-41, the Board and Respondent stipulate to the following:

1. Cenko, Vendittelli & Haynes, PLC (hereinafter "Respondent Firm"), has a principal place of business outside of North Carolina and has no office in North Carolina. Respondent Firm is not a registered certified public accounting firm in North Carolina.
2. Respondent Firm performed multiple audits of a retirement plan sponsored in North Carolina ("ERISA audits").
3. The North Carolina Accountancy Act, at N.C. Gen. Stat. §93-10(c)(3), requires firms to provide notice without a fee to the Board prior to performing financial statement audits or other engagements performed in accordance with the Statements on Auditing Standards. The members or partners of Respondent Firm were unaware of the notice requirement.
4. Respondent Firm did not provide the Board with a Notification of Intent to Practice ("Notice") prior to performing the ERISA audits.
5. Respondent Firm subsequently provided a Notice to the Board.
6. Respondent Firm wishes to resolve this matter by consent and agrees that the Board staff and counsel may discuss this Consent Order with the Board *ex parte*, whether or not the

Board accepts this Consent Order as written. Respondent Firm understands and agrees that this Consent Order is subject to review and approval by the Board and is not effective until approved by the Board at a duly constituted Board Meeting.

**BASED UPON THE FOREGOING**, the Board makes the following Conclusions of Law:

1. Respondent Firm is subject to the provisions of Chapter 93 of the North Carolina General Statutes and Title 21, Chapter 08 of the North Carolina Administrative Code, including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. By exercising the practice privilege afforded by N.C. Gen. Stat. §93-10(c) of the Accountancy Act, Respondent Firm consented to comply with the laws of this State and to be subject to the jurisdiction and disciplinary authority of the Board.
3. Respondent Firm's failure to comply with N.C. Gen. Stat. §93-10(c) of the Accountancy Act as set out above constitutes a violation of 21 NCAC 08N .0213.
4. Per N.C. Gen. Stat. §93-12(9), 93-10(b) and also by virtue of Respondent Firm's consent to this order, Respondent Firm is subject to the discipline set forth below.

**BASED ON THE FOREGOING** and in lieu of further proceedings, the Board and Respondent Firm agree to the following Order:

1. Respondent Firm shall remit, with this signed Order, a one thousand dollar (\$1,000) civil penalty.
2. Respondent Firm shall remit, with this signed Order, a five hundred dollar (\$500) payment for administrative costs.

# Reclassifications

## Reinstatement

On September 21, 2015, the Board approved the reinstatement applications of the following individuals:

Barbara Gail Hein, #18413	Arden, NC
Mai Tram Vu Kim, #36630	Buford, NC
Robert Edwards King, #2725	Black Mountain, NC

## Inactive Status

From July 27, 2015 through September 21, 2015, the individuals listed below were approved for inactive status by the Board. "Inactive," when used to refer to the status of a person, describes a person who has requested inactive status and been approved by the Board and who does not use the title "certified public accountant" nor does he or she allow anyone to refer to him or her as a "certified public accountant," and neither he nor she nor anyone else refers to him or her in any representation as described in Rule .0308(b) of this Section [21 NCAC 08A .0301(b)(20)].

Desmond Akinola Reginald Ellis, #36939	Silver Spring, MD
Krista Lynn Newton, #37312	Charleston, WV
Joshua Allen Slagle, #34733	Charlotte, NC
Trilby Carriker, #15396	Charlotte, NC
Brian Keith Branson, #19124	Morrisville, NC
Elizabeth Endeshaw, #36380	Pleasanton, CA
Julian Mark LeRoy, #20053	Charlotte, NC
Michael Edward Phillips, #26491	Greensboro, NC
Wilton Ray Smith, #2540	Greensboro, NC
Bryan Elliott Beal, #16491	Maiden, NC
Antonia Marie Berbrick, #38964	Hendersonville, NC
Amanda Lee Cuthbertson, #35933	Charlotte, NC
Sean Patrick Enright, #37426	Chamblee, GA
Kilbourne Adams Henry, Jr., #10150	Matthews, NC
Myles Nelligan, #30188	Raleigh, NC
Chad Wesley Swanson, #34963	Coral Gables, FL
Lin Wang, #37879	Dunwoody, GA
Arthur Emerson Davis, III, #12816	Vienna, VA
Thomas Jordan Divinnie, #37460	Nashville, TN
April L. Francois, #26625	Mint Hill, NC
Ronnie Lee Johnson, #21905	Penhook, VA
John Travis McMinnville, #31326	Frisco, TX
Mark Russell Strawn, #36899	Salt Lake City, UT
Helen Eugenia Floyd Winter, #18654	Raleigh, NC
Charles Alexander Morris, #35281	Oak Island, NC
Simon Ho-On Wu, #38079	Houston, TX
Vicie Lynette Moran, #34637	Harrisburg, NC
Russell Edward White, #22930	Belmont, NC
Robert Bennett Shepard, #11605	Swannanoa, NC
Brandon Lee Holloway, #36523	Davidson, NC
Sharon Legg Sawyer #12524	Raleigh, NC
Annie L. Brown, #27320	Greensboro, NC
James Luther Ott, #24752	Cornelius, NC
Janice Campbell Warren, #33971	Wilmington, NC
Barbara Demarest Shoemaker, #14526	High Point, NC

## Check the Status of Your Application

Exam and license applicants can check the status of their applications through the Board's website, [www.nccpaboard.gov](http://www.nccpaboard.gov).

To check the status of an application, an applicant will enter his or her last name, date of birth, and the last four (4) digits of his or her Social Security number.

Ascreen showing the applicant's information, the pending items (required documents, payments, etc.), and the status of the pending items will display.

## Office Closed

In accordance with the holiday schedule adopted by the State of North Carolina, the Board office will be closed as follows:

### Veteran's Day

Wednesday, November 11

### Thanksgiving

Thursday, November 26

Friday, November 27

### Christmas

Wednesday, December 23

Thursday, December 24

Friday, December 25







## State Board of CPA Examiners

### Board Members

**Michael H. Womble, CPA**  
*President, Eastover*

**Wm. Hunter Cook, CPA**  
*Vice President, Charlotte*

**Jeffrey J. Truitt, Esq.**  
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**Deputy Director**  
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*Alice Grigsby*

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*Mary Beth Britt*

*Jean Marie Small*

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North Carolina State Board of  
Certified Public Accountant Examiners  
PO Box 12827  
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## Notice of Address Change

Please Print Legibly

Full Name:	
Certificate No.:	Last 4 Digits of SSN:
Home Address:	
City/State/Zip:	
Home Phone:	Home Fax:
Home Email:	
Firm/Business Name:	
Business Address:	
City/State/Zip:	
Business Phone:	Business Fax:
Business Email:	
Signature:	
Date:	Send mail to: <input type="checkbox"/> Home <input type="checkbox"/> Business

Mail form to: PO Box 12827, Raleigh, NC 27605

Fax form to: (919) 733-4209

Pursuant to 21 NCAC 08J .0107, all certificate holders & CPA firms shall notify the Board in writing within 30 days of any change in home address & phone number; CPA firm address & phone number; business location & phone number; & email address.